

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY, ALLSTATE FIRE &
CASUALTY INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, AND ALLSTATE PROPERTY &
CASUALTY INSURANCE COMPANY,

Docket No.: 22-CV-4441 (SJB)

Plaintiffs,

-against-

TATIANA M. RYBAK, OLEG RYBAK, FABIOLA G. PERNIER
AS EXECUTOR OF THE ESTATE OF JEAN PIERRE CLAUDE
PERNIER, M.D., FRANCOIS JULES PARISIEN, M.D., FRANCIS
JOSEPH LACINA, M.D., KSENIA PAVLOVA, D.O., ALFORD A.
SMITH, M.D., DARREN THOMAS MOLLO, D.C., CHARLES
DENG, L.AC., MARIA SHEILA BUSLON A/K/A MARIA
MASIGLA, P.T., JPC MEDICAL, P.C., JPF MEDICAL SERVICES,
P.C., JULES MEDICAL, P.C. N/K/A GIBBONS MEDICAL, P.C.,
JP MEDICAL SERVICES P.C., JFL MEDICAL CARE P.C.,
ALLAY MEDICAL SERVICES, P.C., FJL MEDICAL SERVICES
P.C., PFJ MEDICAL CARE P.C., RA MEDICAL SERVICES P.C.,
KP MEDICAL CARE P.C., ALFORD A. SMITH MD, P.C.,
STRATEGIC MEDICAL INITIATIVES P.C., ACH
CHIROPRACTIC, P.C., ENERGY CHIROPRACTIC, P.C.,
ISLAND LIFE CHIROPRACTIC PAIN CARE, PLLC, CHARLES
DENG ACUPUNCTURE, P.C., MSB PHYSICAL THERAPY,
P.C., JOHN DOES 1 THROUGH 20, AND ABC
CORPORATIONS 1 THROUGH 20,

Defendants.

**DECLARATION OF COUNSEL IN SUPPORT OF DEFENDANT OLEG RYBAK AND FABIOLA
G. PERNIER'S MOTION TO DISMISS**

MATTHEW J. CONROY, an attorney duly licensed to practice law before the United
States Court, Eastern District of New York, and the Courts of the State of New York, hereby
declares as follows to be true under penalties of perjury:

1. I am an attorney, admitted to practice before this Court, and a member of the law firm of SCHWARTZ, CONROY & HACK, PC, attorneys for the Defendants, Oleg Rybak and Fabiola G. Pernier. As such, I am fully familiar with the facts and circumstances of this action based on my review of the docket and my representation of the Defendant.

2. This Declaration is respectfully submitted in support of Defendant's pre-answer Motion to Dismiss the Complaint as to Defendants, Oleg Rybak and Fabiola G. Pernier, in its entirety, pursuant to Fed. R. Civ. P. Rule 12.

3. I further respectfully submit that the following attached documents are genuine and accurate copies of documents relevant to this motion:

Exhibit A – Complaint, GEICO v. Rybak, U.S. District Court, Eastern District of New York, Docket No. 1:22-cv-04441

Exhibit B – Complaint, Allstate v. Pavlova, New York Supreme Court, Nassau County, Index No. 610068/2017

Exhibit C – Complaint, GEICO v. Parisien, U.S. District Court, Eastern District of New York, Docket No. 1:16-cv-00818

Dated: Garden City, New York
July 3, 2023

SCHWARTZ CONROY & HACK, P.C.

By: Matthew J. Conroy
Matthew J. Conroy, Esq.
Attorneys for the Defendants
666 Old Country Road, 9th Floor
Garden City, New York, 11530
Tel.: (516) 745-1122